

STATEMENT OF BASIS

for draft Louisiana Pollutant Discharge Elimination System permit No. LA0112267
to discharge to waters of the State of Louisiana.

AI No.: 23834 / Activity No.: PER20090001

THE APPLICANT IS: Neff Rental, Inc.
390 South Van Avenue
Houma, LA 70361

THE FACILITY IS: Neff Rental
390 South Van Avenue
Houma, Terrebonne Parish

ISSUING OFFICE: Louisiana Department of Environmental Quality (LDEQ)
Office of Environmental Services
Post Office Box 4313
Baton Rouge, Louisiana 70821-4313

PREPARED BY: Bonnie Wascom

DATE PREPARED: January 12, 2010

1. PERMIT STATUS

- A. LPDES permit – LA0112267
LPDES permit effective date: January 1, 2004
LPDES permit expiration date: December 31, 2008
- B. LWDPDS permit – NA
LWDPDS permit effective date: NA
LWDPDS permit expiration date: NA
- C. Date Application Received: September 22, 2009

2. FACILITY INFORMATION

- A. **FACILITY TYPE/ACTIVITY – equipment rental company**

Neff Rental is an existing equipment rental yard located in Houma, Terrebonne Parish. The facility rents and services equipment such as excavators, dozers, and bucket lifts. The equipment wash wastewater is routed through an oil/water separator before it is discharged to local drainage via Outfall 001. Sanitary wastewater is treated discharged to local drainage via Outfall 002 and Outfall 003.

Statement of Basis for
Neff Rental, Inc.
LA0112267 / AI 23834
Page 2

B. FEE RATE

1. Fee Rating Facility Type: minor
2. Complexity Type: I
3. Wastewater Type: III
4. SIC codes: 7353

C. LOCATION - 390 South Van Avenue
Houma, Terrebonne Parish
Latitude +29° 50' 35", Longitude -92° 10' 28"

3. OUTFALL INFORMATION

RLP 1 Outfall 001

Discharge Type: Equipment wash wastewater

Treatment: Oil/water separator

Location: at the point of discharge from the oil/water separator on the west side of the property prior to mixing with other waters

Flow: 750 GPD

Discharge Route: by pipe to the Intracoastal Waterway via local drainage

RLP 2 Outfall 002

Discharge Type: Treated Sanitary Wastewater

Treatment: Sewage Treatment Plant

Location: at the point of discharge from the sewage treatment plant on the west side of the property prior to mixing with other waters

Flow: 120 GPD

Discharge Route: by pipe to the Intracoastal Waterway via local drainage

RLP 3 Outfall 003

Discharge Type: Treated Sanitary Wastewater

Treatment: Sewage Treatment Plant

Location: at the point of discharge from the sewage treatment plant on the east side of the property prior to mixing with other waters

Flow: 120 GPD

Discharge Route: by pipe to the Intracoastal Waterway via local drainage

4. RECEIVING WATERS

STREAM – by pipe to the Intracoastal Waterway via local drainage

BASIN AND SEGMENT – Terrebonne River – Subsegment 120304

Statement of Basis for
Neff Rental, Inc.
LA0112267 / AI 23834
Page 3

DESIGNATED USES -

- a. Primary contact recreation
- b. Secondary contact recreation
- c. Propagation of fish and wildlife
- d. Drinking Water Supply
- e. Agriculture

5. EXISTING EFFLUENT LIMITS

1. Outfall 001 – Equipment Wash Wastewater

<u>Pollutant</u>	<u>Limitation</u> Mo. Avg.: Daily Max.	<u>Monitoring</u>
Flow	Report: Report (GPD)	Quarterly
TSS	----: 45 mg/L	Quarterly
COD	200: 300 mg/L	Quarterly
pH	6.0 - 9.0 s.u.	Quarterly
Oil & Grease	----: 15 mg/L	Quarterly

2. Outfall 002 – Treated Sanitary Wastewater

<u>Pollutant</u>	<u>Limitation</u> Mo. Avg.: Weekly Avg.	<u>Monitoring</u>
Flow (GPD)	Report: Report	Quarterly
BOD ₅	----: 45 mg/L	Quarterly
TSS	----: 45 mg/L	Quarterly
Fecal Coliform	----: 400 colonies/100 mL	Quarterly
pH	6.0 - 9.0 s.u.	Quarterly

3. Outfall 003 – Treated Sanitary Wastewater

<u>Pollutant</u>	<u>Limitation</u> Mo. Avg.: Weekly Avg.	<u>Monitoring</u>
Flow (GPD)	Report: Report	Quarterly
BOD ₅	----: 45 mg/L	Quarterly
TSS	----: 45 mg/L	Quarterly
Fecal Coliform	----: 400 colonies/100 mL	Quarterly
pH	6.0 - 9.0 s.u.	Quarterly

6. PROPOSED EFFLUENT LIMITS

BASIS – See rationale below.

Statement of Basis for
Neff Rental, Inc.
LA0112267 / AI 23834
Page 4

7. COMPLIANCE HISTORY/COMMENTS

A. Compliance History

There are no open, appealed, or pending OES enforcement actions as of January 13, 2010. There is no EPA enforcement history on file as of January 13, 2010.

An inspection conducted on May 9, 2005 noted facility was only sampling for two of the three permitted outfalls.

The facility was referred to the Enforcement Division on January 19, 2010 for failure to submit DMRs.

B. DMR Review/Excursions

A DMR review was performed for the period of January 2007 – December 2009. One DMR for each outfall was on file which stated no sample was taken.

8. ENDANGERED SPECIES

The receiving waterbodies and proposed discharge are not listed in Section II.2 of the Implementation Strategy as requiring consultation with the U.S. Fish and Wildlife Service (FWS). This strategy was submitted with a letter dated January 5, 2010 from Rieck (FWS) to Nolan (LDEQ). Therefore, in accordance with the Memorandum of Understanding between the LDEQ and the FWS, no further informal (Section 7, Endangered Species Act) consultation is required. The effluent limitations established in the permit ensure protection of aquatic life and maintenance of the receiving water as aquatic habitat. Therefore, the issuance of the LPDES permit is not likely to have an adverse effect on any endangered or candidate species or the critical habitat.

9. 303 (d) LISTED WATERBODIES

Subsegment 120304, Intracoastal Waterway – From Houma to LaRose, is not listed on LDEQ's Final 2006 303(d) list as impaired. However, subsegment 120304 was previously listed as impaired for organic enrichment/low DO, and Nutrients, for which the below TMDL's have been developed. The Department of Environmental Quality reserves the right to impose more stringent discharge limitations and/or additional restrictions in the future to maintain the water quality integrity and the designated uses of the receiving water bodies based upon additional TMDL's and/or water quality studies. The DEQ also reserves the right to modify or revoke and reissue this permit based upon any changes to established TMDL's for this discharge, or to accommodate for pollutant trading provisions in approved TMDL watersheds as necessary to achieve compliance with water quality standards.

Statement of Basis for
Neff Rental, Inc.
LA0112267 / AI 23834
Page 5

The following TMDL's have been established for Segment 120304:

TMDLs for Dissolved Oxygen and Nutrients in Selected Subsegments in the Middle Terrebonne Basin was completed April 2, 2008. Per the TMDL, "Reductions from point source discharges are not required....Because no reductions were required, it is assumed that the point sources may continue to discharge at their current concentration level and not make any deleterious effect on water quality." Previous permit limits will be maintained to protect against further impairment.

10. HISTORIC SITES

The discharge is from an existing facility location, which does not include an expansion on undisturbed soils. Therefore, there should be no potential effect to sites or properties on or eligible for listing on the National Register of Historic Places, and in accordance with the "Memorandum of Understanding for the Protection of Historic Properties in Louisiana Regarding LPDES Permits" no consultation with the Louisiana State Historic Preservation Officer is required.

11. TENTATIVE DETERMINATION

On the basis of preliminary staff review, the Department of Environmental Quality has made a tentative determination to reissue a permit for the discharge described in the application.

12. PUBLIC NOTICES

Upon publication of the public notice, a public comment period shall begin on the date of publication and last for at least 30 days thereafter. During this period, any interested persons may submit written comments on the draft permit and may request a public hearing to clarify issues involved in the permit decision at this Office's address on the first page of the statement of basis. A request for a public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing.

Public notice published in:

Local newspaper of general circulation
Office of Environmental Services Public Notice Mailing List

Statement of Basis for
Neff Rental, Inc.
LA0112267 / AI 23834
Page 6

Rationale for Facility

1. RLP 1 Outfall 001 – Equipment Wash Wastewater

<u>Pollutant</u>	<u>Limitation*</u>	<u>Reference</u>
	Mo. Avg.: Daily Max.	
Flow (MGD)	Report: Report	LAC 33:IX.2361.I.1.b
TSS	---: 45 mg/L	Previous Permit
COD	200: 300 mg/L	Previous Permit
Oil & Grease	---: 15 mg/L	Previous Permit
pH	6.0 (min.) - 9.0 (max.) s.u.	Previous Permit

Treatment: Oil/Water Separator

Monitoring Frequency: Once per three months for all parameters at the point of discharge from the oil/water separator on the west side of the property prior to mixing with other waters.

2. RLP 2 Outfall 002 – Treated Sanitary Wastewater

<u>Pollutant</u>	<u>Limitation*</u>	<u>Reference</u>
	Mo. Avg.: Daily Max.	
Flow (GPD)	Report: Report	LAC 33:IX.2361.I.1.b
TSS	---: 45 mg/L	Previous Permit
BOD ₅	---: 45 mg/L	Previous Permit
Fecal Coliform	---: 400 Colonies/100 mL	Previous Permit
pH	6.0 (min.) - 9.0 (max.) s.u.	Previous Permit

Treatment: Sewage Treatment Plant

Monitoring Frequency: Once per three months for all parameters at the point of discharge from the sewage treatment plant on the west side of the property prior to mixing with other waters.

3. RLP 3 Outfall 003 – Treated Sanitary Wastewater

<u>Pollutant</u>	<u>Limitation*</u>	<u>Reference</u>
	Mo. Avg.: Daily Max.	
Flow (GPD)	Report: Report	LAC 33:IX.2361.I.1.b
TSS	---: 45 mg/L	Previous Permit
BOD ₅	---: 45 mg/L	Previous Permit
Fecal Coliform	---: 400 Colonies/100 mL	Previous Permit
pH	6.0 (min.) - 9.0 (max.) s.u.	Previous Permit

Treatment: Sewage Treatment Plant

Monitoring Frequency: Once per three months for all parameters at the point of discharge from the sewage treatment plant on the east side of the property prior to mixing with other waters.

Statement of Basis for
Neff Rental, Inc.
LA0112267 / AI 23834
Page 7

***Limits Justification:** For all parameters, limits and monitoring frequencies are based on the Exterior Vehicle Wash General Permit (LAG750000), the Class I Sanitary General Permit (LAG530000), and the previous permit.

Note: Due to its history of noncompliance, this facility is not eligible for coverage under the Exterior Vehicle and Equipment Wash Wastewater General Permit.

GPD Gallons per Day
s.u. Standard Units

NOTE: For outfalls containing concentration limits, the usage of concentration limits is based on BPJ for similar outfalls since the flow is variable and estimated.

Additional Information

Please be aware that the Department has the authority to reduce monitoring frequencies when a permittee demonstrates two or more consecutive years of permit compliance. Monitoring frequencies established in LPDES permits are based on a number of factors, including but not limited to, the size of the discharge, the type of wastewater being discharged, the specific operations at the facility, past compliance history, similar facilities and best professional judgment of the reviewer. We encourage and invite each permittee to institute positive measures to ensure continued compliance with the LPDES permit, thereby qualifying for reduced monitoring frequencies upon permit reissuance. If the Department can be of any assistance in this area, please do not hesitate to contact us. As a reminder, the Department will also consider an increase in monitoring frequency upon permit reissuance when the permittee demonstrates continued non-compliance.